Amendment of the Indian Telegraph Act

3500. SHRIMATI N.P. DURGA: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether it is a fact that the Government has issued new guidelines in respect of telephone tapping;

(b) if so, the details of the guidelines;

(c) whether the proposed guidelines not impinge the power of the competent authority under Section 5(2) of the Indian Telegraph Act because under this Section the competent authority can order for any message or class messages;

(d) if so, the details thereof;

(e) whether Government propose to bring an amendment to the Indian Telegraph Act in view of the (a) above,

(f) if so, the details thereon; and

(g) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD): (a) and (b) Yes, Sir. Instruction for ensuring privacy of communication has been issued by the Government which *inter-alia* include the following:

(**For Telephone Companies:**

— To issue of acknowledgement letters to Security Agencies within two hours of the receipt of communication.

— To put in place of adequate and effective internal checks within their organizations.

— To have designated officers to receive the communications.

— Such communication to be handled by fairly senior level officers.

For Security Agencies:

— Only designated officers to convey the instructions for interception.

— Designated officers of the Security Agencies to deliver the letters to Service Providers.

— In emergent cases of carrying out interception.

— Post confirmation from the Competent Authority is to be provided within seven days of the issue of the orders of interception in emergent cases.

(c) The instruction issued by the Government in February, 2006 do not impinge the power of the competent authority under section 5(2) of the Indian Telegraph Act because under this Section the competent authority can order for any message or class of messages.

(d) Does not arise in view of (c) above.

(e) to (g) the instructions issued by the Government addresses the incongruities to ensure privacy of communication while carrying out the instructions of the competent authority under section 5(2) of the Indian Telegraph Act for interception or detention of any message or class of messages. However, a proposal is under consideration to further enhance the penalty for ensuring privacy of communication.

Shortage of optical fibre material in Uttaranchal

†3501. SHRI HARISH RAWAT: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) the number of telephone exchanges in Uttaranchal which can be connected by optical fibre;

(b) whether Government are aware of the fact that several telephone exchanges in the State are not being able to provide high level services due to lack of optical fibre material; and

(c) if so, the details of the steps being taken by Government to ensure the sufficient availability of material for telephone services in the State?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD): (a) Sir, out of 453 exchanges of Bharat Sanchar

† Original notice of the question was received in Hindi.